

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 19-CR-3113-JB

ROBERT PADILLA, a.k.a. "Fat Head,"
ROSE ANN ROMERO,
JOHNATHAN VIGIL, a.k.a. "Lil John,"
ROBERT HOCKMAN, a.k.a. "Tony,"
MARCOS RUIZ, a.k.a. "Mark,"
LUIS SANCHEZ, a.k.a. "Payaso,"
ASHLEY ROMERO,
TOMAS SANCHEZ, a.k.a. "T.J.,"
AMANDA SILVA,
SERGIO VALDEZ,
GENEVIVE ATENCIO, and
JANAYA ATENCIO,

Defendant.

STIPULATED MOTION FOR DISCOVERY ORDER

The Parties jointly move for an Order of the Court under Rule 16(d) of the Federal Rules of Criminal Procedure which will dictate the use of Computers by the Defendants in custody in this case.

1. All parties agree that the size and various forms of discovery in this case cannot be properly reviewed by the incarcerated Defendants without the use of a computer which they will require access to on a regular basis.
2. The computers in this case will not allow the Defendants to access any content outside of what is loading on the computers and restrictions placed on the computers will only allow them to view/review the discovery received from the Government.

3. At the February 12, 2020 Scheduling Conference in front of this Court, parties identified the need to craft a discovery order which would cover the use of computers by Defendants incarcerated in this case.

4. This Court having previously dealt with the use of computers by Defendants in large complex criminal prosecutions, has crafted specific language which has balanced the need for facilities to periodically check for contraband under specific and limited circumstances and the Defendants to have access to their discovery on a regular basis. This language had specifically laid out procedures for seizing computers from Defendants.

5. The Government has been contacted and stipulates to the use of computers by the defense, and the proposed order presented to the court.

WHEREFORE, Defendants respectfully requests the Court to Enter a Discovery Order Allowing the use of Computers by Defendants while incarcerated pending trial in this case subject to any restrictions by this Court.

Respectfully submitted:

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/s/ Thomas Clark
Thomas Clark
Attorney for Robert Hockman

/s/ Michael Alarid
Michael Alarid
Attorney for Marcos Ruiz

/s/ Greg Acton
Greg Acton
Attorney for Ashley Romero

/s/ Charles Knoblauch
Charles Knoblauch
Attorney for Tomas Sanchez

/s/ Susan Burgess Farrell
Susan Burgess Farrell
Attorney for Amanda Silva

/s/ Philip Sapien
Philip Sapien
Attorney for Sergio Valdez

/s/ Michael Davis
Michael Davis
Attorney for Genevive Atencio

/s/ Jennifer Wernersbach
Jennifer Wernersbach
Attorney for Janaya Atencio

I HEREBY CERTIFY that on the 30th day of April 2020, I filed the foregoing electronically through the CM/ECF filing system, which caused all counsel to be served by electronic means.

/s/ *Diego R. Esquibel*
Diego R. Esquibel